

1 WEIL, GOTSHAL & MANGES LLP  
2 Stephen Karotkin (*pro hac vice*)  
(stephen.karotkin@weil.com)  
3 Theodore Tsekerides (*pro hac vice*)  
(theodore.tsekerides@weil.com)  
4 Jessica Liou (*pro hac vice*)  
(jessica.liou@weil.com)  
5 Matthew Goren (*pro hac vice*)  
(matthew.goren@weil.com)  
767 Fifth Avenue  
6 New York, NY 10153-0119  
Tel: 212 310 8000  
7 Fax: 212 310 8007

8 *Attorneys for Debtors and Reorganized  
9 Debtors*

KELLER BENVENUTTI KIM LLP  
Tobias S. Keller (#151445)  
(tkeller@kbkllp.com)  
Peter J. Benvenutti (#60566)  
(pbenvenutti@kbkllp.com)  
Jane Kim (#298192)  
(jkim@kbkllp.com)  
650 California Street, Suite 1900  
San Francisco, CA 94108  
Tel: (415) 496-6723  
Fax: (650) 636 9251

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

In re:

**PG&E CORPORATION,**

**- and -**

**PACIFIC GAS AND ELECTRIC COMPANY,**

**Debtors.**

Affects PG&E Corporation  
 Affects Pacific Gas and Electric Company  
 Affects both Debtors

*\* All papers shall be filed in the Lead Case,  
No. 19-30088 (DM).*

Case No. 19-30088 (DM)  
Chapter 11  
(Lead Case)  
(Jointly Administered)

**STIPULATION PERMITTING  
PATRICK MCCAFFREY, SALLY  
MCCAFFREY, AND THE  
MCCAFFREY FAMILY TRUST TO  
AMEND PREVIOUSLY FILED  
PROOF OF CLAIM**

[Related to Dkt. Nos. 8390-91]

Resolving Motion set for Hearing on  
August 4, 2020 at 10:00 am PT

1 PG&E Corporation (“**PG&E Corp.**”) and Pacific Gas and Electric Company (the  
2 “**Utility**”), as reorganized debtors (collectively, the “**Debtors**” and as reorganized pursuant to the  
3 Plan (as defined below), the “**Reorganized Debtors**”) in the above-captioned cases (the “**Chapter**  
4 **11 Cases**”), on the one hand, and Patrick McCaffrey, Sally McCaffrey, and the McCaffrey Family  
5 Trust (“**Movants**”), on the other hand, by and through their respective counsel, hereby submit this  
6 stipulation (the “**Stipulation**”) for an order permitting Movants to amend a previously filed proof  
7 of claim in the Chapter 11 Cases as set forth herein. The Reorganized Debtors and Movants are  
8 referred to in this Stipulation collectively as the “**Parties**,” and each as a “**Party**.” The Parties  
9 hereby stipulate and agree as follows:

10 **RECITALS**

11 A. On January 29, 2019 (the “**Petition Date**”), the Debtors commenced these Chapter  
12 11 Cases in the United States Bankruptcy Court for the Northern District of California (the  
13 “**Bankruptcy Court**”).

14 B. By Order dated July 1, 2019 [Docket No. 2806] (the “**Bar Date Order**”), the  
15 Bankruptcy Court set October 21, 2019 at 5:00 p.m. (Prevailing Pacific Time) (the “**Original Bar**  
16 **Date**”) as the deadline in these Chapter 11 Cases for filing proofs of claim in respect of any of  
17 prepetition claim (as defined in section 101(5) of the Bankruptcy Code) against either of the  
18 Debtors, including all claims of Fire Claimants,<sup>1</sup> Wildfire Subrogation Claimants, Governmental  
19 Units (as defined in section 101(27) of the Bankruptcy Code), and Customers, and for the  
20 avoidance of doubt, including all secured claims and priority claims.

21 C. By Order dated November 11, 2019, the Bankruptcy Court extended the Bar Date  
22 until December 31, 2019 at 5:00 p.m. (Prevailing Pacific Time), solely for the benefit of any non-  
23 governmental Fire Claimants who had not filed proofs of claim by the Original Bar Date.

24 D. By Order dated June 20, 2020 [Dkt. No. 8053] the Bankruptcy Court confirmed the  
25 *Debtors’ and Shareholder Proponents’ Joint Chapter 11 Plan of Reorganization Dated June 19,*

26  
27 <sup>1</sup> Capitalized terms used but not otherwise herein defined have the meanings ascribed to such  
28 terms in the Bar Date Order or the Plan (as defined below), as applicable.

1 2020 (as may be further modified, amended or supplemented from time to time, and together with  
2 any exhibits or scheduled thereto, the “**Plan**”). The Effective Date of the Plan occurred on July 1,  
3 2020. *See* Dkt. No. 8252.

4 E. On August 27, 2019, Sally McCaffrey filed Proof of Claim No. 8413 (the “**Original**  
5 **Proof of Claim**”), on account of damages she and Patrick McCaffrey allegedly sustained as a result  
6 of the Camp Fire (the “**Asserted Claim**”).

7 F. On July 14, 2020, Movants filed the *Motion Pursuant to Fed. R. Bankr. Proc. 7015*  
8 and *7017 for an Order Deeming Proposed Amended Claim to Relate Back/or Pursuant to Fed. R.*  
9 *Bankr. P. 9006(b)(1) to Enlarge the Time for Patrick McCaffrey, Sally McCaffrey and the*  
10 *McCaffrey Family Trust to File Proof of Claim* [Dkt. No. 8390] (the “**Motion**”), in which Movants  
11 assert they should be permitted to amend the Original Proof of Claim solely to add the McCaffrey  
12 Family Trust as an additional claimant. The Motion is set for hearing on August 4, 2020 (the  
13 “**Hearing**”). *See* Dkt. No. 8391.

14 G. The Reorganized Debtors have raised with Movants certain informal objections to the  
15 relief requested in the Motion.

16 H. The Fire Victim Trustee has reviewed the Stipulation and, based on the facts  
17 presented in the Motion, has no objection to the agreements set forth herein or to entry of an Order  
18 approving the terms of the Stipulation.

19 I. The Parties hereto desire to resolve their issues regarding the Motion.

20 **NOW, THEREFORE, UPON THE FOREGOING RECITALS, WHICH ARE**  
21 **INCORPORATED AS THOUGH FULLY SET FORTH HEREIN, IT HEREBY IS**  
22 **STIPULATED AND AGREED, BY AND BETWEEN THE PARTIES, THROUGH THE**  
**UNDERSIGNED, AND THE PARTIES JOINTLY REQUEST THE BANKRUPTCY COURT**  
**TO ORDER, THAT:**

23 1. Movants shall be permitted to amend the Original Proof of Claim solely to add the  
24 McCaffrey Family Trust as an additional claimant on the condition that such amended proof of claim  
25 (the “**Amended Proof of Claim**”) shall be filed no later than seven (7) days after the entry of any  
26 Order approving the terms of this Stipulation.

27 2. Nothing herein is intended to, nor shall it be construed to be, a waiver by the Debtors  
28 or the Reorganized Debtors, as applicable, or any other party in interest of any right to (i) object to

the Asserted Claim or the Amended Proof of Claim on any grounds other than the untimely filing thereof, or (ii) seek to reclassify the Amended Proof of Claim.

3. Nothing herein is intended to, nor shall it be construed to be, a waiver by Movants of their right to seek to reclassify the Amended Proof of Claim or to assert any other right in contravention to or in opposition of any asserted challenge to the Amended Proof of Claim.

4. Upon the timely filing of the Amended Proof of Claim pursuant to paragraph 1 of this Stipulation, the Original Proof of Claim shall be deemed expunged, and Prime Clerk LLC, the claims agent appointed in the Chapter 11 Cases, shall be authorized to update the official claims register to reflect the terms set forth herein.

5. Upon entry of an Order approving the terms of this Stipulation, the Motion shall be deemed withdrawn with prejudice, and the Hearing vacated.

6. In the event that the terms of this Stipulation are not approved by the Bankruptcy Court, it shall be null and void and have no force or effect and the Parties agree that, in such circumstances, this Stipulation shall be of no evidentiary value whatsoever in any proceedings.

7. This Stipulation shall be binding on the Parties and each of their successors in interest.

8. This Stipulation shall constitute the entire agreement and understanding of the Parties relating to the subject matter hereof and supersede all prior agreements and understandings relating to the subject matter hereof.

9. This Stipulation may be executed in counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same agreement.

10. The Bankruptcy Court shall retain jurisdiction to resolve any disputes or controversies arising from this Stipulation or any Order approving the terms of this Stipulation.

[*Remainder of Page Intentionally Left Blank*]

1 Dated: July 24, 2020  
2 WEIL GOTSHAL & MANGES LLP  
3

4 /s/ Matthew Goren  
5 Matthew Goren, Esq.  
6 *Attorneys for Debtors  
and Reorganized Debtors*

Dated: July 24, 2020  
DOWNEY BRAND LLP

/s/ Jamie P. Dreher  
Jamie P. Dreher, Esq.  
7 *Attorneys for Patrick McCaffrey, Sally  
8 McCaffrey, and the McCaffrey Family Trust*  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28